

REMARKS

Claims 183-191 are pending in the subject application. By this amendment, applicants have amended claims 183-191. Accordingly, upon entry of this Amendment, claims 183-191, as amended, will be pending and under examination.

Applicants maintain that the amendments to the claims raise no issue of new matter and respectfully request entry of this Amendment.

Election/Restrictions

On page 2 of the September 2, 2004 Office Action, the Examiner acknowledged Applicant's election with traverse of Group III, claims 183-191, drawn to a process for preparing a pharmaceutical wherein the receptor is an NPFF2 receptor with the sequence of SEQ ID NO: 6. However, the Examiner stated that the traversal is not found persuasive and the requirement is still deemed proper and is therefore made final.

Applicants note that Group III as set forth in the June 4, 2004 Office Action recites a process for preparing an agonist or antagonist of the human NPFF2 receptor of SEQ ID NO: 6, ATCC Deposit No. 203255. Accordingly, claims 183-191, as amended, recite the human NPFF2 receptor of SEQ ID NO: 6 and ATCC Deposit No. 203255.

Claim Objections

On page 2 of the September 2, 2004 Office Action, the Examiner objected to claims 183-191 for allegedly containing limitations drawn to non-elected claims.

In response, in an attempt to advance the prosecution but without conceding either the

Christophe P.G. Gerald, et al.
Serial No.: 09/866,248
Filed: May 25, 2001
Page 13

need for amendment or the correctness of the Examiner's position, Applicants have amended claims 183-191 to delete those limitations directed to non-elected inventions.

Accordingly, Applicants maintain that the amendments obviate the Examiner's objection and respectfully request that the objection be withdrawn.

Supplemental Information Disclosure Statement

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following copending patent applications/patents:

1. United States Serial No. 09/538,036, filed March 29, 2000; and
2. United States Patent No. 6,709,831 issued March 23, 2004.

These references are also listed on the Form PTO/SB/08a enclosed herewith. A copy of U.S. Serial No. 09/538,036 is also enclosed.

It is respectfully requested that the Examiner consider the above information and that a copy of the enclosed Form PTO/SB/08A be returned indicating that such information has been considered. Applicants respectfully request that the Examiner make this citation of record in the subject application.

The fee for filing a Supplemental Information Disclosure Statement after the issuance of an Office Action on the merits is one hundred eighty dollars (\$180.00), a check in the amount of \$180.00 is enclosed.

Christophe P.G. Gerald, et al.
Serial No.: 09/866,248
Filed: May 25, 2001
Page 14

Summary

In view of the foregoing amendments and remarks, Applicants maintain that the claims pending in this application are in condition for allowance. Accordingly, allowance is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone the number provided below.

No fee, other than the fee of \$180.00 for a Supplemental Information Disclosure Statement, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-3201.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen G. Kalinchak", is written over a horizontal line.

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